

09/762294

Our File No: 9611-16

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February 7, 2001

The Commissioner of Patents & Trademarks
Washington, D.C., U.S.A. 20231

Dear Sir:

Transmitted herewith for entry into national phase of the patent application of

Inventor: CHIL-YONG KANG
YAN LI

For: HIV Vaccine

The following papers are enclosed:

The following papers are enclosed:

- [X] Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371.
- [X] Preliminary Amendment.
- [] An unsigned Combined Declaration for Patent Application and Power of Attorney.
- [X] A cheque in the amount of \$430.00 (small entity) for the filing fee is enclosed.
- [X] PAYMENT OF THE CLAIM FEES IS BEING DEFERRED.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to our Deposit Account No. 02-2095. A duplicate copy of this sheet is enclosed.
- [X] Convention priority is requested based on U.S. Provisional Patent Application No. 60/096,235 filed on August 12, 1998.

Respectfully submitted,



Micheline Gravelle
Registration No. 40,261

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

9611-16

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/762294

INTERNATIONAL APPLICATION NO.

PCT/CA99/00746

INTERNATIONAL FILING DATE

August 12, 1999

PRIORITY DATE CLAIMED

August 12, 1998

TITLE OF INVENTION

HIV Vaccine

APPLICANT(S) FOR DO/EO/US

Chil-Yong KANG and Yan LI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. 09/1762294 INTERNATIONAL APPLICATION NO. PCT/CA99/00746		ATTORNEY'S DOCKET NUMBER 9611-16																																																																											
<div>21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =</div> <div>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</div> <table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th style="width:15%;">CLAIMS</th><th style="width:20%;">NUMBER FILED</th><th style="width:20%;">NUMBER EXTRA</th><th style="width:15%;">RATE</th><th style="width:15%;">\$</th><th style="width:15%;"></th></tr></thead><tbody><tr><td>Total claims</td><td>- 20 =</td><td></td><td>x \$18.00</td><td>\$</td><td></td></tr><tr><td>Independent claims</td><td>- 3 =</td><td></td><td>x \$80.00</td><td>\$</td><td></td></tr><tr><td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td><td>+</td><td>\$270.00</td></tr><tr><td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td><td>\$</td><td>860.00</td></tr><tr><td colspan="4"><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td><td>+</td><td>\$ 430.00</td></tr><tr><td colspan="4">SUBTOTAL =</td><td>\$</td><td>430.00</td></tr><tr><td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td><td>\$</td><td></td></tr><tr><td colspan="4">TOTAL NATIONAL FEE =</td><td>\$</td><td>430.00</td></tr><tr><td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td><td>\$</td><td></td></tr><tr><td colspan="4">TOTAL FEES ENCLOSED =</td><td>\$</td><td>430.00</td></tr><tr><td colspan="4" rowspan="2"></td><td style="width:15%;">Amount to be refunded:</td><td style="width:15%; text-align: center;">\$</td></tr><tr><td>charged:</td><td style="text-align: center;">\$</td></tr></tbody></table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		Total claims	- 20 =		x \$18.00	\$		Independent claims	- 3 =		x \$80.00	\$		MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	\$270.00	TOTAL OF ABOVE CALCULATIONS =				\$	860.00	<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 430.00	SUBTOTAL =				\$	430.00	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		TOTAL NATIONAL FEE =				\$	430.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$		TOTAL FEES ENCLOSED =				\$	430.00					Amount to be refunded:	\$	charged:	\$	CALCULATIONS PTO USE ONLY	
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<div>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>430.00</u> to cover the above fees is enclosed.</div> <div>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</div> <div>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>022095</u> . A duplicate copy of this sheet is enclosed.</div> <div>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</div> <div style="margin-top: 20px;">NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</div> <div style="display: flex; justify-content: space-between; align-items: flex-end; padding-top: 20px;"><div style="width: 60%;">SEND ALL CORRESPONDENCE TO: Bereskin & Parr Box 401, 40 King Street West Toronto, Ontario Canada M5H 3Y2</div><div style="width: 35%; text-align: center;"><div> SIGNATURE</div><div>MICHELINE GRAVELLE NAME</div><div>40,261 REGISTRATION NUMBER</div></div></div>																																																																													